

Carolyn Wright

From: Silvio Dell'Angela <dellansi@comcast.net>
Sent: Friday, February 7, 2020 3:40 PM
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Subject: A PUBLIC MEETING THIS TUESDAY FEB 11 BEFORE JUDGE BROWNING ON THE CASA GOVERNING APD REFORM HELD WITHOUT THE PUBLIC BEING ALLOWED TO SPEAK
Attachments: 514-200204 Amended Notice of Public Hearing - Feb 11, 2020.pdf; APD shootings 2007-2016.docx

*Re: 14 - CV - 1025 - JB - SMV
19 - CV - 275 - JB - CG*

TO: JUDGE BROWNING

FYI ALL-PARTICULARLY THOSE FED UP WITH THE LACK OF ACCOUNTABILITY BY APD'S CRIMINAL/KILLER COPS

Someone please pass to grieving father Ken Ellis III whose son was among those murdered by one of Geier's many trigger-happy cops who like the many others to date was never held accountable.

After a number of my e-mails to the City, the DOJ and others asking when federal Judge Browning will consider Mayor Keller's insulting appeal to no longer require that the DOJ and its Monitor Ginger oversee APD's compliance with the 2014 CASA in key still not reformed areas including their use of force, the civilian oversight process and others, the US Attorney's office today sent me the following announcement of NEXT TUESDAY'S-FEB 11 PUBLIC MEETING shown below this narrative and attached.

Note that it was addressed to only a select few people-primarily City attorneys and other people who likely support it or seemingly couldn't care less about any real APD reform like those in the DOJ and in the mainstream media.

In a recent editorial, the Journal's Board not surprisingly pandered to THEIR Mayor and ran an editorial endorsing the outrageous request to allow APD to police itself and continue their lack of accountability in defiance of the CASA. Note that the list of addressees even includes Fred Mower, the attorney for APD's Union/APOA "It's them against us" President Shaun Willoughby. I don't see any Councilors or POB members on the address list. But they likely don't care!

As expected, like Tommy Rodella's appeal hearing last month before Judge Browning asking to be released from jail after serving five of his ten years in a Texas prison after being railroaded by now APD's CYA 2018 hire Damon Martinez-a hearing that the Journal never notified readers of, we again see nothing about this upcoming Tuesday allegedly PUBLIC hearing on Mayor Keller's insulting relief request from the CASA.

Grieving father Ken Ellis whose son was murdered by APD cop Brett Lampiris-Tremba but never held accountable was outraged when told of Keller's insulting appeal-as likely were other family members and friends of other APD victims. When I demanded answers to APD's murder of my good neighbor Chris Hinz in June 2010 and demanded recordings that would expose the two killers' lies, Chief Geier's mentor-then Chief Schultz, threatened me to "be careful" and later would post unmarked APD vehicles in front of my house at night hoping I would come out.

Schultz did the same car intimidation to the grieving mom of Len Fuentes after she demanded answers to APD's murder of her son Len. Just see again just the partial list of police shootings from 2007 to 2016 attached including the victims I mentioned highlighted. APD's bloodbath continues to this day and yet not one killer cop has ever been held accountable. I'm sick and tired of hearing from their leadership and the media that APD cops put their lives in danger every day. Have them put on a military uniform and serve under fire in a combat zone. I doubt few would/have.

*and in
Rodella case.
2/9/20*

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2/9/20

*Jan.
file on CM/ECF in APD
cont doa case 2/9/20
2/9/20*

Chief Geier lied when claiming this Keller appeal if honored will save 61 officers now committed to CASA compliance. His Compliance Bureau is now being led by one of Geier's most disgraceful Deputy Chiefs-Eric Garcia. Garcia is the same character whose APD wife was demoted to a Lt. rather than terminated after caught falsifying records. Last year, she was promoted back to Commander by Geier. Lest we forget Geier's former PIO Simon Drobik and his Lt. boss ripping off taxpayers for over \$100,000 by falsifying their timecards but neither were ever terminated for their crimes. Drobik even claimed he worked 26 hours in one day.

Contrary to the lies Chief Geier and others will tell Judge Browning Tuesday, APD has since the CASA was signed over six years ago, never had any intent to reform knowing full well that neither ex-cop Monitor Ginger nor those in the DOJ cared. Monitor Ginger's interest was only in milking taxpayers for millions for as long as possible. Soon after hired, he made that clear that he didn't care about reform during his first public meeting over six years ago when telling us that APD reform would take a very long time "be a marathon." That's all APD had to hear!

So instead of APD immediately going out to good police and sheriff departments throughout the US including those just reformed like Seattle's and adopting their policies and procedures and training curriculums, instead Ginger would allow APD to start from scratch-essentially reinvent the wheel, something that would make his money making marathon prediction a reality. Since then, Geier and Keller's trigger happy cops continue to murder people including the homeless but conveniently will never make public recordings that incriminate them-those that expose the lies they tell. While staying in hiding Geier instead sends out his PIOs like Gil Gallegos and Lieutenants like Ray Del Greco to parrot the lies told by his trigger happy cops.

While the mainstream media-particularly the Journal as well as the City Council have been complicit in APD's reform charade, we are fortunate to have truth tellers who write blogs. These include the ABQReport, Eye on Albuquerque and one written by Pete Dinelli. In particular, the first two repeatedly exposed the cesspool/Hellhole that this City has become under our corrupt leadership not only in the Mayor's office, in APD's leadership position, in our DA office but also in our corrupt Civilian Police Oversight process under ex-cop Ed Harness and his few remaining POB lackeys.

One example is the September 20, 2019 ABQReport expose, "*Russia on the Rio Grande*" that exposes CPOA Director Ed Harness for the traitor to the people he is. Geier just loves this lackey of his. See <https://www.abqreport.com/single-post/2019/09/20/Russia-on-the-Rio-Grande> The following is the introduction to this damning ABQReport posting that alone should have caused the firing of CPOA Director Ed Harness and removal of his enablers still on the Police Oversight Board.

- *Civilian Police Oversight Agency Executive Director Ed Harness spies on his bosses at the Police Oversight Board. Harness went through his superiors' (POB) emails.*
- *Harness and POB Chair Chantal Galloway launch Soviet-style probe into "leaker" of public information.*
- *Comrades Harness and Galloway hate it that someone sent one of Ed's emails about the federal court judge (Browning) who's overseeing the police reform effort to the judge!*
- *War on free speech and individual thought and action.*

All this and yet the alleged advertised public hearing before Judge Brack only allows the public to attend to hear the lies told by the enablers to castrate the CASA-make it just a worthless piece of paper.

AGAIN, the public-the victims of this ongoing APD lack of accountability who clearly have something to say-express their outrage with our corrupt Mayor and APD Chief's proposal like grieving father Ken Ellis III and I will not be permitted to talk Tuesday! Will the media be there?

Disgusted

Silvio

Lt. Colonel USAF retired-Vietnam vet '69 and '70-Bronze Star recipient

From: Martinez, Elizabeth (USANM) <Elizabeth.Martinez@usdoj.gov>
Sent: Thursday, February 6, 2020 1:17 PM
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laurie@sc.rr.com

Subject: USA v. ABQ, 14-CV-1025 JB/SMV - Upcoming Hearings in APD Constitutional Policing Case

Dear Members of the Albuquerque Community,

We write to notify you that U.S. District Judge James O. Browning, the judicial officer overseeing the APD reform process, has scheduled a public hearing, which is scheduled to begin at 9:00 am on Tuesday, February 11, 2020, in the Vermejo Courtroom of the U.S. Courthouse, which is located at 333 Lomas Blvd. NW in Albuquerque. The amended notice of hearing for the public hearing (Doc. 514) is attached.

During the public hearing, Chief of Police Michael Geier and other APD Officials will provide a progress report to the Court and the community on the implementation of the reforms in the Court-Approved Settlement Agreement (CASA). In addition, Independent Monitor James Ginger will provide an update based on the Independent Monitoring Team's tenth report, which was filed in Nov. 2019.

We look forward to seeing those of you who are able to attend at the public hearing on February 11th. Thank you for your contributions to and interest in this important reform process.

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District of New Mexico - Version 6.2.4

Notice of Electronic Filing

The following transaction was entered on 2/4/2020 at 4:23 PM MST and filed on 2/4/2020

Case Name: United States of America v. City of Albuquerque

Case Number: 1:14-cv-01025-JB-SMV

Filer:

Document Number: 514 (No document attached)

Docket Text:

**AMENDED NOTICE: Public Hearing set for February 11, 2020 at 9:00 a.m. in
Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning.
(cjw)**

[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]

List of Albuquerque police shootings

From Wikipedia, the free encyclopedia



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Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
6/2007:	Russell Carter	Jay Martin Murphy	Murphy killed	*barricaded self in home *Jay Murphy Jr., 19 tried to calm police down ^[1]	
11/2009:	Brandon Carr	Roderick Jones	Jones killed		Carr fired 18 months later ^[2]
1/9/2010:	Andrew Cooke	Aaron Renfro	Renfro killed	*passenger in car stopped for speeding	*Cooke cleared by grand jury ^[3]
1/13/2010:	Brett Lampiris-Tremba	Kenneth Ellis III ^[4]	Ellis killed	*Ellis holding gun to his own head *Sean Wallace also present	*Judge in civil suit ruled Ellis' rights violated *Brett Lampiris-Tremba sued for promotion and back pay ^[5]
1/29/2010:	Sean Wallace	Wayne Cordova	Cordova killed	*Cordova suspected of fleeing after possibly stealing a car	*Wallace now a K-9 officer who works with SWAT *Wallace later shot Alan Gomez; ^[6] *the District Attorney ruled this

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
				a justifiable homicide ^[6]	
3/4/2010:	Roger Legendre	Jose Castillo, Tanya Martinez, Raymond Carillo ^[7]	*Castillo charged with assaulting a police officer	*police shot at car after beer shoplifting incident, Giant gas station, Coors and Quail *Castillo driving	Legendre now a sergeant ^[8]
3/29/2010: ^[9]	Kevin Sanchez	Mickey Owings	Owings killed	*Sanchez shot at moving vehicle in Walmart parking lot, I-40 and Quail *pregnant female in Owings vehicle unharmed *40+ witnesses	*The city's independent review officer ruled the shooting was justified ^[10] *The DoJ used this shooting as an example of "Albuquerque police officers' own recklessness" leading to use of violence ^[10] *wrongful death lawsuit filed by Kennedy law firm ^[11]
4/14/2010:	Zach Stephenson	Benjamin Marquez	Marquez shot 3-4 times in upper body	*Marquez smoking a cigarette while pumping gas at Broadway and Gibson	Sandy testified at Sandy's trial that he "idolized" Stephenson
6/10/2010:	Eric Brown, Anthony Sedler	Chris Hinz Spain and Juan Tabo	Hinz killed	*Hinz intoxicated at home *Police said he was firing his	*Sedler later shoots Parrish Dennison

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
				weapon inside his home ^[12]	
6/14/2010:	Aaron Zwicky	Julian Calbert	Calbert killed	*Calbert had kidnapped two women *One called 911 from Calbert's car trunk ^[13]	A grand jury found the shooting justified ^[14]
7/27/2010:	Jeremy Hollier, Anthony Glodon	Len Fuentes, diagnosed schizophrenic, unable to access, treatment ^[15]	Fuentes killed 3400 block Crest SE	*domestic violence call ^[16]	Hollier arrested in 2012 for felony domestic violence, still with APD ^[17]
8/17/2010:	Josh Brown	Enrique Carrasco	Carrasco shot at Montgomery and San Mateo after slashing his girlfriend's tires	Carrasco jumped on Brown's hood and repeatedly stabbed officer's driver-side window with a knife and broke it, then tried to open the door, said Public Safety Director Darren White	
9/14/2010:	Leah Kelly	Chandler Barr	Barr hospitalized, survived being shot, 2nd and Central	Police called because Barr was cutting his arm with a "butter knife" *Kelly smoking a cigar as she pulled trigger	Barr filed suit for \$340,000 in medical bills and pain and suffering ^[18] A federal jury found no liability. ^[19]

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
10/19/2010:	Drew Bader, Ramon Ornelas	Daniel Gonzales	<u>Tucumcari</u> police asked NM State Police for help, State Police call in Albuquerque SWAT	*came to door with two rifles	APD SWAT officers cleared ^[21]
10/31/2010:	David Sprague	Alexei Sinkevitch 6500 block of Tierra Prieta NW	911 reports of hit-and-runs on Estrella Brillante NW Callers took plate Police traced to Sinkevitch	*Sinkevitch had rifle *Sinkevitch bled to death on floor of his home ^[22]	
11/11/2010:	Brian Pitzer, Doug Moore	Russell Tenorio 1400 block Alamo SE	Tenorio survived, in hospital 2½ months, lost of a kidney.	Tenorio had fetal alcohol symptom, was threatening to hurt himself ^[23]	*Pitzer announced he was "going lethal" before entering the home ^[23] *federal lawsuit ^[24]
2/9/2011:	Byron "Trey" Economidy (Detective)	Jacob Mitschelen	Mitschelen killed	*traffic stop ^[25]	*Economidy suspended for 4 days for listing his occupation on Facebook as "human waste disposal" ^[26] *wrongful death lawsuit settled for \$300,000 ^[25]
4/12/2011:	Christopher J. Brown	Christopher Torres	Torres shot in his parents' back yard	father says police used a battering ram to enter the house even though he was present and	Jury award over \$10 million, later settled for \$6 million + ^[28]

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
				offered to let them in ^[27]	
5/10/2011:	Sean Wallace	Alan Gomez ^[29]	*Gomez killed while holding spoon *wrongful death suit settled in December 2013 for \$900,000 ^[30]	**the officer shot Gomez without verifying a threat, and after receiving information that Gomez could not have been a threat because he was no longer armed." ^[31]	*earlier wrongful death suit settled for \$235,000 *Wallace first shot a civilian on September 22, 2004 in Chimayó when he was an NMSP narcotics agent; tort claim notice filed late December 2004 ^[32]
6/4/2011:	Troy Nikko, William Thomas, Michael Oates ^[33]	Raymond Garcia	*Garcia killed Lomas and Palomas ^[34] *officers pinned his car in near a chainlink fence in front of Cross Country Auto Sales ^[35]	*Garcia caught carjacking	
6/26/2011:	Damian Lujan	Orlando Paisano	Paisano tased, shot eight times, Bell and Dallas SE ^[36]	Paisano holding bayonet, police say ^[36]	
8/30/2011:	Jim Perdue	Michael Marquez	Marquez shot in field, 60th and Central	Michael Marquez an armed robbery suspect	*District Attorney ruled shooting justified *First shooting under new system ^[37]
1/4/2012:	Mario Perez	Mark Macoldowna, James Kellogg, ^[38]	Macoldowna killed, Bates and Kellogg arrested	armed robbery of St. Pius X complex	

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
		Kymberly Bates			
3/19/2012:	Martin Smith	Daniel Tillison Marquette and Texas	Tillison killed ^[38]	wrongful death lawsuit alleges Smith PTSD-diagnosed and APD knew it ^[39]	DA found no probable cause for charges ^[40]
3/21/2012:	Russ Carter	Gary Atencio	Atencio shot on <u>Laguna Pueblo</u> after pursuit	Carter's 3rd shooting ^[41]	wrongful death lawsuit dismissed ^[41]
4/19/2012:	Mike Hill	Dennis Aragon	Aragon shot three times but was expected to survive	police say Aragon fired shots in the air then pointed rifle at police	
8/6/2012:	Jason Peck (APD sgt)	Dominick Solis-Mora ^[42]	Solis-Mora shot in stomach then recovered	Solis-Mora said to sell \$240 worth of meth to undercover Peck	DA and APD Internal Affairs clear Peck of wrongdoing *Solis-Mara subsequently involved a number of other criminal incidents
3/5/2013:	Perdue, Sedler and Aragon	<u>Parrish</u> <u>Dennison</u>	Dennison killed Menaul and Louisiana	Dennison driver of woman trying to sell stolen banjo ^[43]	*Sedler had previously shot Chris Hinz ^[44] *Sedler cleared of wrongdoing ^[45]
3/19/2013:	APD	Kendall Carroll 13000 block Constitution	killed by State Police, APD also fired	Carroll had previously shot and wounded a police officer ^[46]	

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
7/5/2013:	Jeff Bludworth, Katherine Wright	Vincent Wood	convenience store Montgomery and San Mateo	*previously transported to mental health	*shooting ruled justified *Wrongful death lawsuit settled for \$55,000 ^[47]
10/26/2013:	Officer Luke McPeek and others	Christopher Chase ^[48]	Chase killed	Chase had "cop killer" tattooed on his knuckles ^[49]	award ceremony ^[50]
10/28/2013:	Brian Pitzer	Joaquin Ortega shot Jefferson and Central ^[51]	Ortega hospitalized then jailed on charges of robbery and carjacking		*Prosecutors found no probable cause to charge Pitzer ^[52] *Pitzer involved in two prior shootings, neither fatal ^[53]
11/15/2013:	Peter Romero	Robert Garcia, Sr.	*Garcia shot but survived, received 3-year sentence *traffic stop, San Mateo Carlisle	*Garcia had rifle, had been drinking *later admitted he had attempted suicide to a cop	Garcia apologized to Romero
12/1/2013:	Luke McPeek, David Munoz and Jim Edison	Shane Sherrill	Sherrill had felony warrants, holding brake pad	No charges filed against police ^[54]	
12/8/2013:	Hector Marquez, Nathan Cadroy-Croteau	Andy Snider	Snider killed	Snider said to charge officers with hammer ^[55]	Wrongful death lawsuit filed 2015 ^[56] *Both officers still on active duty

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
1/9/2014:	Russell Carter (Detective)	Jeremy Robertson's tires, Walgreens in <u>Rio Rancho</u>	*Robertson uninjured ^[57] *Robertson charged with fleeing, assaulting officer ^[57]	*Robertson wanted for parole violations	*both Sedler and Ornelas on SWAT team *Sedler's 2nd shooting, Ornelas' 3rd ^[44]
3/16/2014:	Keith Sandy (Detective), Officer Dominique Perez	<u>James Boyd</u>	Boyd killed	*camping without a permit *displaying knife to officers who tried to frisk him	*Both charged with open count of murder
3/25/2014:	James Eichel	<u>Alfred Redwine</u>	Redwine killed	Redwine was upset because he had just lost custody of his 5yo son	
4/21/2014:	Jeremy Dear	<u>Mary Hawkes</u>	Hawkes killed	Hawkes suspected of having been in a stolen car *Car's owner later told police Hawkes had dated his roommate ^[58]	*camera unplugged *Dear fired for repeatedly not turning on his camera, particularly in use of force incidents. *Dear appeals firing and is reinstated. City appeals his reinstatement. ^[59] *Family files wrongful death lawsuit. ^[60]
5/3/2014:	Daniel Hughes	Armand Martin	Martin killed in his Ventana Ranch home ^[61]	Martin suffered from depression, "just went crazy," wife said. ^[62] Martin	DA and APD Internal Affairs clear Hughes of wrongdoing ^[63]

Date	Officer name(s)	Victim name(s)	Outcome	Notes	Officer Outcome
				ran out of his home while discharging his handgun.	
5/22/2014:	Ryan Graves, Brian Fuchs	Ralph Chavez	Chavez killed, 2nd at I-40	*Chavez suspected of rape *Fuchs' camera not on *Graves' blocked by uniform, but did record audio *Chavez said to pull knife, advance on officers	DA declined to press charges ^[64]
1/9/2015:	Greg Brachle	Jacob Grant (APD detective) ^[65]	*criminal complaint describes meth purchase *charges against Damian Bailey and Edmond Vester for trafficking cocaine, conspiracy to commit trafficking ^[66]	officer's 2nd shooting *Grant will need medical for the rest of his life, settled lawsuit for \$6.5 million and medical expenses	*police oversight board recommended firing but Brachle had already retired *APD said since that shooting, the department has improved supervision, training and equipment for undercover officers. In addition, it is now mandatory to attend all briefings before each operation. ^[67]
5/29/2016: ^[68]	(unknown)	Dennis Humphrey ^[68]	Humphrey shot in his garage Morningside and Goodrich ^[68]	911 call reported he was drunk and walking around outside his house with a rifle ^[69]	

Other use of force incidents [edit]

Date	Officer name(s)	Citizen name(s)	Outcome	Notes	Officer Outcome
1/1/2012	Aaron Zwicky	Patrick Dennison Coors and Central	*fatal car crash *Zwicky attempting to respond to shots fired in South Valley	Zwicky previously shot Julian Calbert in 2010	
2/5/2015:	SWAT	Nicholas Leyba, Moon and Indian School	minor injuries, charged with kidnapping, criminal sexual penetration		
4/7/2015:	SWAT	Dustin Goodwin 1400 blk Pennsylvania	arrested	domestic violence suspect *tried to prevent girlfriend from leaving *alcohol, firearms involved ^[70]	
4/14/2015:	SWAT	Marquette and Pennsylvania	hospitalized with dog bites (Lex)	charged wth domestic violence, burglary while fleeing ^[71]	
4/22/2015:	BCSO SWAT	Michael Quevedo, 800 block Dolly (off La Vega)	arrested	warrants, domestic violence, felon with firearm	SWAT because "info the detective had and his history" ^[72]
5/10/2015:	SWAT	1800 block Hiawatha NE	arrested	15-hour standoff, man hiding in television cabinet	domestic violence

Date	Officer name(s)	Citizen name(s)	Outcome	Notes	Officer Outcome
10/2015:			monitor: officers kneed suspect in head, report does not match video		**"no meaningful followup" ^[73] *officer's supervisor delayed filing a report ^[74]
11/10/2015:	SWAT	Bell/Pennsylvania	arrested	search warrant, man refused to leave apartment	felony warrants
12/22/2015:	Andrew Quillman, Shawna Romero also present ^[75]	José Rodriguez, ^[76] Central/Utah	killed	attempted carjacking, could not drive shift ^{[75][77]}	
5/24/2016:	APD and US Marshalls	Mario Montoya nr Central/Western Skies	Montoya's wife arrested for harboring a fugitive ^[78]	Montoya supposed to be at a halfway house	
6/19/2016:	SWAT	Lomas/Juan Tabo	arrested	"man was not cooperating with officers' requests to come out of a vehicle" ^[79]	
9/30/2016:	Rodney Locke ^[80]	killed Kay Moss-Freese, woman in wheelchair	Locke quit APD February 2016	Locke arrested	
10/22/2016:		Michael David Pacheco, Walgreens Coors/Central ^[81]	arrested	shots fired at Walgreens miss, Pacheco flees; officer-caused	

Date	Officer name(s)	Citizen name(s)	Outcome	Notes	Officer Outcome
				accident at 64th/Churchill	

References[edit]

1. ^{^ Jump up to:^a ^b ^c} ["APD KILLS TWO MORE THIS WEEK, LA JICARITA WEIGHS IN"](#). La Jicarita. March 23, 2012.
2. [Jump up[^] Ryan Boetel \(November 17, 2014\). "Five of 17 officers fired at APD were let go due to use of force violations".](#) Albuquerque Journal. Retrieved November 11, 2016.
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6. ^{^ Jump up to:^a ^b} [Office of the District Attorney. "Officer Involved Shooting Review on DA File 2012-01823-1"](#) (PDF). KUNM.
7. [Jump up[^] Staff \(March 4, 2010\). "Officer shoots at suspected shoplifters".](#) Albuquerque Journal.
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18. [Jump up[^] Scott Sandlin \(October 29, 2014\). "Trial over APD shooting opens in federal court".](#) Albuquerque Journal.
19. [Jump up[^] Scott Sandlin \(November 1, 2014\). "Jury clears APD officer of liability in shooting".](#) Albuquerque Journal.
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